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SENATE BILL 531

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO DISABILITIES; AMENDING AND ENACTING SECTIONS OF  
THE NMSA 1978 TO EXPAND PARKING FOR PERSONS WITH SEVERE  
MOBILITY IMPAIRMENT; PROVIDING FOR ENFORCEMENT OF CERTAIN  
PARKING PRIVILEGES; CREATING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. [NEW MATERIAL] SHORT TITLE. -- Sections 1  
through 3 of this act may be cited as the "Parking Placard  
Abuse Act".

Section 2. [NEW MATERIAL] PROGRAM CREATED. -- The "placard  
abuse prevention program" is created in the governor's  
committee on concerns of the handicapped to ensure compliance  
with statutes affecting parking privileges for persons with  
severe mobility impairment and safe and effective use of  
designated disabled parking space. The committee shall design

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1 and implement a program to:

2 A. monitor the system of eligibility for and use  
3 of parking placards and special registration plates;

4 B. provide public awareness education and training  
5 to address barriers to the appropriate use of designated  
6 disabled parking space;

7 C. pursue efforts to reduce abuse and misuse of  
8 designated disabled parking space privileges, including  
9 revocation of parking placards and special registration  
10 plates; and

11 D. provide education, training and technical  
12 assistance to local law enforcement agencies and volunteers on  
13 enforcement of statutes affecting use of designated disabled  
14 parking space.

15 Section 3. [NEW MATERIAL] LOCAL ENFORCEMENT PROGRAMS--  
16 VOLUNTEERS-- TRAINING. --

17 A. Municipalities and counties may establish  
18 programs that include the use of trained volunteers for  
19 enforcement of state statutes and local ordinances on  
20 designated disabled parking space.

21 B. Prior to issuing citations, volunteers shall  
22 receive a minimum of sixteen hours of training in the  
23 specifics of enforcement of parking statutes and ordinances,  
24 including behavioral training for dealing with the public in  
25 stressful circumstances, and shall be issued a certificate if

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1 deemed to have successfully completed the training.

2 C. If a volunteer provides less than fifty hours  
3 service per year he shall be required to be recertified on a  
4 biennial basis by completing a four-hour refresher course, to  
5 ensure familiarity with citation procedures and any changes in  
6 statutes or ordinances.

7 D. Volunteers shall wear a distinctive laminated  
8 shield, designed by the governor's committee on concerns of  
9 the handicapped, to include personal photo and local  
10 government identification indicating authority to issue  
11 parking placard violation citations. Volunteers shall not  
12 wear a uniform.

13 E. Volunteers are not peace officers or law  
14 enforcement officers as defined in Chapter 29 NMSA 1978 and  
15 are not authorized to make arrests or to detain individuals  
16 and are prohibited from carrying or using weapons of any sort  
17 in carrying out their designated responsibilities.

18 F. Volunteers are authorized to issue citations  
19 only for the enforcement of the provisions of Sections  
20 3-51-46, 66-3-16, 66-3-16.1, 66-7-352.4 and 66-7-352.5 NMSA  
21 1978. If a volunteer cannot place the citation securely on  
22 the windshield of a vehicle, he shall assist the local law  
23 enforcement agency to ensure the citation is mailed to the  
24 registered owner of the vehicle.

25 Section 4. Section 3-51-2 NMSA 1978 (being Laws 1965,  
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1 Chapter 300, Section 14-52-2, as amended) is amended to read:

2 "3-51-2. FINDING AND DECLARATION OF NECESSITY.--It is  
3 hereby declared that:

4 A. there [~~exists~~] exist in cities in the state of  
5 New Mexico serious conditions of congestion of street traffic  
6 preventing free circulation of traffic, obstructing access to  
7 and use of both public and private property, increasing  
8 traffic hazards, ~~impeding~~ rapid and effective fighting of  
9 fires and the disposition of police forces and endangering the  
10 public peace, health and safety;

11 B. [~~this condition is~~] these conditions are caused  
12 in substantial part by insufficiency of space or  
13 accommodations for the parking of motor vehicles off the  
14 public streets;

15 C. the installation of parking meters and the  
16 establishment of additional parking facilities, together with  
17 all undertakings incidental or advantageous thereto, for the  
18 improvement of traffic control and regulation are public uses  
19 and purposes for which [~~publie~~] public money may be spent and  
20 private property acquired;

21 D. projects for such purposes will, in addition,  
22 confer special benefits on property within their environs;  
23 [~~and~~]

24 E. it is in the public interest that work on  
25 projects for such purposes be commenced as soon as possible in

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1 order to relieve traffic congestion; and

2 F. the public interest is best served by the  
3 exclusive use of designated disabled parking spaces by persons  
4 eligible for and displaying special registration plates or  
5 parking placards issued pursuant to Section 66-3-16 NMSA 1978;  
6 that municipal law enforcement personnel do not have  
7 sufficient time to devote to enforcement of statutes and  
8 ordinances relating to designated disabled parking spaces for  
9 persons with severe mobility impairment; and that volunteers  
10 trained specifically for that purpose can best ensure  
11 appropriate use of such parking spaces, both on public and  
12 private property, through issuance of parking citations .

13 The necessity in the public interest for the provisions  
14 [hereinafter] enacted by the Greater Municipality Parking Law  
15 is hereby declared as a matter of legislative determination. "

16 Section 5. Section 3-51-5 NMSA 1978 (being Laws 1965,  
17 Chapter 300, Section 14-52-5) is amended to read:

18 "3-51-5. POWERS OF CITY. --Every city shall have all the  
19 powers necessary, convenient, desirable or appropriate to  
20 carry out the purposes and provisions of the Greater  
21 Municipality Parking Law, including the following powers in  
22 addition to other powers conferred by the Greater Municipality  
23 Parking Law to:

24 A. [to] purchase and install, maintain, regulate,  
25 operate and manage parking meters and parking spaces upon the

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1 streets of the city;

2 B. [~~to~~] purchase, acquire, lease, rent, construct,  
3 reconstruct, improve, alter, repair, maintain, operate and  
4 manage parking facilities for the parking of motor vehicles  
5 off the public streets, together with public rights of way  
6 necessary or convenient [~~therefor~~] for the parking facilities,  
7 including the leasing of the operation [~~thereof~~] of the  
8 parking facilities and including the leasing of a portion of  
9 the space at any such parking facility to private operators  
10 for commercial purposes when in the judgment of the governing  
11 body it is convenient or necessary to permit such leasing in  
12 order to utilize the balance of the property as a parking  
13 facility;

14 C. [~~to~~] purchase, acquire by gift, grant, bequest  
15 or devise or otherwise any real or personal property or any  
16 interest therein, together with the improvement thereon, to be  
17 used as parking facilities or incident [~~thereto~~] to parking  
18 facilities;

19 D. [~~to~~] insure or provide for the insurance of any  
20 parking facility established by the city against such risks  
21 and hazards as the city may deem advisable;

22 E. [~~to~~] acquire by the exercise of the power of  
23 eminent domain any real property or personal property or any  
24 interest therein which it deems necessary for its purposes  
25 under the Greater Municipality Parking Law after the adoption

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1 by it of an ordinance declaring that its acquisition is  
2 necessary for such purposes. This power shall be exercised in  
3 the manner provided by any applicable statutory provisions and  
4 laws of the state of New Mexico and acts amendatory thereof or  
5 supplementary thereto. Title to property so acquired shall be  
6 taken in the name of the city;

7 F. ~~to~~ sell, lease, exchange, transfer, assign or  
8 otherwise dispose of any real or personal property or any  
9 interest therein acquired for the purpose of the Greater  
10 Municipality Parking Law; ~~and~~

11 G. ~~to~~ receive, control, invest and order the  
12 expenditure of any and all ~~moneys~~ money and funds pertaining  
13 to parking facilities and parking meters or related properties  
14 if the same are not otherwise committed; and

15 H. authorize and implement a program for use of  
16 trained volunteers to enforce statutes and municipal  
17 ordinances relating to parking accommodations for persons with  
18 severe mobility impairment, pursuant to the Parking Placard  
19 Abuse Act. "

20 Section 6. Section 3-51-46 NMSA 1978 (being Laws 1973,  
21 Chapter 22, Section 3) is amended to read:

22 "3-51-46. PASSENGER MOTOR VEHICLE OF DISABLED PERSON--  
23 PARKING PRIVILEGE. --Passenger motor vehicles owned by and  
24 carrying disabled persons and ~~carrying~~ displaying special  
25 registration plates, or passenger motor vehicles carrying

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1 persons with severe mobility impairment and displaying parking  
2 placards, issued pursuant to Section [ ~~64-3-12.3 NMSA 1953~~  
3 66-3-16 NMSA 1978 shall be permitted to park for unlimited  
4 periods of time in parking zones restricted as to length of  
5 time parking is normally permitted and are exempt from payment  
6 of any parking [~~meter~~] fee of the state or its political  
7 subdivisions. The provisions of this section shall prevail  
8 over any other law, [~~regulation~~] rule or local ordinance but  
9 do not apply to zones where stopping, standing or parking is  
10 prohibited, zones reserved for special types of vehicles,  
11 zones where parking is prohibited during certain hours of the  
12 day in order to facilitate traffic during those hours when  
13 parking is prohibited and zones subject to similar regulation  
14 because parking presents a traffic hazard. "

15 Section 7. A new Section 4-41-5.1 NMSA 1978 is enacted  
16 to read:

17 "4-41-5.1. [ NEW MATERIAL] SPECIAL PARKING ENFORCEMENT--  
18 VOLUNTEER USE AUTHORIZED. --Subject to authorization by a board  
19 of county commissioners, a sheriff may implement a program for  
20 use of trained volunteers to enforce statutes and county  
21 ordinances relating to parking accommodations for persons with  
22 severe mobility impairment pursuant to the Parking Placard  
23 Abuse Act. "

24 Section 8. Section 66-1-4.1 NMSA 1978 (being Laws 1990,  
25 Chapter 120, Section 2) is amended to read:

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1 "66-1-4.1. DEFINITIONS. -- As used in the Motor Vehicle  
2 Code:

3 A. "abandoned vehicle" means a vehicle or motor  
4 vehicle that has been determined by a New Mexico law  
5 enforcement agency:

6 (1) to have been left unattended on either  
7 public or private property for at least thirty days;

8 (2) not to have been reported stolen;

9 (3) not to have been claimed by any person  
10 asserting ownership; and

11 (4) not to have been shown by normal record  
12 checking procedures to be owned by any person;

13 B. "access aisle" means a space designed to allow  
14 a person with severe mobility impairment to safely exit and  
15 enter a motor vehicle and that is immediately adjacent to a  
16 designated disabled parking space and that may be common to  
17 two such parking spaces of at least sixty inches in width or,  
18 if the parking space is designed for van accessibility,  
19 ninety-six inches in width, and clearly marked with blue  
20 striping;

21 [~~B.~~] C. "additional place of business", for dealers  
22 and wreckers of vehicles, means locations in addition to an  
23 established place of business as defined in Section 66-1-4.5  
24 NMSA 1978 and meeting all the requirements of an established  
25 place of business, except Paragraph (5) of Subsection B of

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1 Section 66-1-4.5 NMSA 1978, but "additional place of business"  
2 does not mean a location used solely for storage and that is  
3 not used for wrecking, dismantling, sale or resale of vehicles;

4 ~~[C.]~~ D. "alcoholic beverages" means any and all  
5 distilled or rectified spirits, potable alcohol, brandy,  
6 whiskey, rum, gin, aromatic bitters or any similar alcoholic  
7 beverage, including all blended or fermented beverages,  
8 dilutions or mixtures of one or more of the foregoing  
9 containing more than one-half of one percent alcohol but  
10 excluding medicinal bitters; and

11 ~~[D.]~~ E. "authorized emergency vehicle" means any  
12 fire department vehicle, police vehicle, ambulance and any  
13 emergency vehicles of municipal departments or public utilities  
14 that are designated or authorized as emergency vehicles by the  
15 director of the New Mexico state police division of the  
16 department of public safety or local authorities."

17 Section 9. Section 66-1-4.4 NMSA 1978 (being Laws 1990,  
18 Chapter 120, Section 5, as amended) is amended to read:

19 "66-1-4.4. DEFINITIONS.--As used in the Motor Vehicle  
20 Code:

21 A. "day" means calendar day, unless otherwise  
22 provided in the Motor Vehicle Code;

23 B. "dealer", except as herein specifically  
24 excluded, means any person who sells or solicits or advertises  
25 the sale of new or used motor vehicles, manufactured homes or

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1 trailers subject to registration in this state; "dealer" does  
2 not include:

3 (1) receivers, trustees, administrators,  
4 executors, guardians or other persons appointed by or acting  
5 under judgment, decree or order of any court;

6 (2) public officers while performing their  
7 duties as such officers;

8 (3) persons making casual sales of their own  
9 vehicles;

10 (4) finance companies, banks and other lending  
11 institutions making sales of repossessed vehicles; or

12 (5) licensed brokers under the Manufactured  
13 Housing Act who, for a fee, commission or other valuable  
14 consideration, engage in brokerage activities related to the  
15 sale, exchange or lease purchase of pre-owned manufactured  
16 homes on a site installed for a consumer;

17 C. "declared gross weight" means the maximum gross  
18 vehicle weight or combination gross vehicle weight at which a  
19 vehicle or combination will be operated during the registration  
20 period, as declared by the registrant for registration and fee  
21 purposes; the vehicle or combination shall have only one  
22 declared gross weight for all operating considerations;

23 D. "department" means the taxation and revenue  
24 department, the secretary of taxation and revenue or any  
25 employee of the department exercising authority lawfully

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1 delegated to that employee by the secretary;

2 E. "designated disabled parking space" means any  
3 space, including an access aisle, marked and reserved for the  
4 parking of a passenger vehicle that carries registration plates  
5 or a parking placard indicating disability in accordance with  
6 Section 66-3-16 NMSA 1978, [~~such a place shall be~~] and  
7 designated by a conspicuously posted sign bearing the  
8 international disabled symbol of a wheelchair [ ~~or~~] and if  
9 paved, by a clearly visible depiction of this symbol painted in  
10 blue on the pavement of the space;

11 F. "director" means the secretary;

12 G. "disqualification" means a prohibition against  
13 driving a commercial motor vehicle;

14 H. "distinguishing number" means the number  
15 assigned by the department to a vehicle whose identifying  
16 number has been destroyed or obliterated or the number assigned  
17 by the department to a vehicle that has never had an  
18 identifying number;

19 I. "distributor" means any person who distributes  
20 or sells new or used motor vehicles to dealers and who is not a  
21 manufacturer;

22 J. "division", without further specification,  
23 "division of motor vehicles" or "motor vehicle division" means  
24 the department;

25 K. "driver" means every person who drives or is in

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1 actual physical control of a motor vehicle, including a  
2 motorcycle, upon a highway, who is exercising control over or  
3 steering a vehicle being towed by a motor vehicle or who  
4 operates or is in actual physical control of an off-highway  
5 motor vehicle;

6 L. "driver's license" means a license or a class  
7 of license issued by a state or other jurisdiction to an  
8 individual that authorizes the individual to drive a motor  
9 vehicle; and

10 M "driveaway-towaway operation" means any  
11 operation in which any motor vehicle, new or used, is the item  
12 being transported when one set or more of wheels of any such  
13 motor vehicle is on the roadway during the course of  
14 transportation, whether or not the motor vehicle furnishes the  
15 motive power. "

16 Section 10. Section 66-1-4.14 NMSA 1978 (being Laws 1990,  
17 Chapter 120, Section 15, as amended) is amended to read:

18 "66-1-4.14. DEFINITIONS. --As used in the Motor Vehicle  
19 Code:

20 A. "park" or "parking" means the standing of a  
21 vehicle, whether occupied or not, other than temporarily for  
22 the purpose of and while actually engaged in loading and  
23 unloading;

24 B. "parking lot" means a parking area [ ~~containing~~  
25 ~~fifteen or more parking spaces~~] provided for the [free] use of

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1 patrons of any office of state or local government or of any  
2 public accommodation, retail or commercial establishment;

3 C. "parts car" means a motor vehicle generally in  
4 nonoperable condition that is owned by a collector to furnish  
5 parts that are usually nonobtainable from normal sources, thus  
6 enabling a collector to preserve, restore and maintain a motor  
7 vehicle of historic or special interest;

8 D. "pedestrian" means any natural person on foot;

9 E. "person" means every natural person, firm,  
10 copartnership, association, corporation or other legal entity;

11 F. "personal information" means information that  
12 identifies an individual, including an individual's photograph,  
13 social security number, driver identification number, name,  
14 address other than zip code, telephone number and medical or  
15 disability information, but "personal information" does not  
16 include information on vehicles, vehicle ownership, vehicular  
17 accidents, driving violations or driver status;

18 G. "placard" or "parking placard" means a card-like  
19 device that identifies the vehicle as being currently in use to  
20 transport a person with severe mobility impairment and issued  
21 pursuant to Section 66-3-16 NMSA 1978 to be displayed inside a  
22 motor vehicle so as to be readily visible to an observer  
23 outside the vehicle;

24 [G.] H. "pneumatic tire" means every tire in which  
25 compressed air is designed to support the load;

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1           ~~[H-]~~ I. "pole trailer" means any vehicle without  
2 motive power, designed to be drawn by another vehicle and  
3 attached to the towing vehicle by means of a reach or pole or  
4 by being boomed or otherwise secured to the towing vehicle and  
5 ordinarily used for transporting long or irregularly shaped  
6 loads such as poles, structures, pipes and structural members  
7 capable, generally, of sustaining themselves as beams between  
8 the supporting connections;

9           ~~[I-]~~ J. "police or peace officer" means every  
10 officer authorized to direct or regulate traffic or to make  
11 arrests for violations of the Motor Vehicle Code;

12           ~~[J-]~~ K. "private road or driveway" means every way  
13 or place in private ownership used for vehicular travel by the  
14 owner and those having express or implied permission from the  
15 owner, but not other persons; and

16           ~~[K-]~~ L. "property owner" means the owner of a piece  
17 of land or the agent of that property owner. "

18           Section 11. Section 66-3-16 NMSA 1978 (being Laws 1978,  
19 Chapter 35, Section 36, as amended) is amended to read:

20           "66-3-16. SPECIAL REGISTRATION PLATES--DISABLED  
21 PERSONS-- [~~DISPLAY DEVICE~~] PARKING PLACARD. --

22           A. The division shall issue distinctive  
23 registration plates to any disabled person who so requests and  
24 who proves satisfactorily to the division that he has suffered  
25 the loss, or the complete and total loss of use of, one or both

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1 legs at or above the ankle or of one or both arms at or above  
2 the wrist for use on motor vehicles owned by the person. No  
3 fee in addition to the regular registration fee, if any,  
4 applicable to the motor vehicle shall be collected for issuance  
5 of special registration plates pursuant to this section.

6 B. No person shall falsely represent himself to be  
7 disabled so as to be eligible to be issued a special  
8 registration [~~plates~~] plate or [~~display devices~~] a parking  
9 placard pursuant to this section when he is in fact not  
10 disabled. Upon notice and opportunity to be heard, the  
11 division may revoke and demand return of any placard when:

- 12 (1) it was issued in error or with false  
13 information;
- 14 (2) the person receiving the placard is no  
15 longer eligible; or
- 16 (3) the placard is being used by ineligible  
17 persons.

18 C. Upon written application to the division  
19 accompanied by a medical statement by a licensed physician  
20 attesting to the permanent disability, a resident of the state  
21 who has a disability that limits or impairs the ability to  
22 walk, as provided in Subsection G of this section, may apply  
23 for and be granted the issuance of [~~a placard~~] no more than two  
24 parking placards for display upon a motor vehicle registered to  
25 him or motor vehicle owned by another person who is

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1 transporting him. ~~[The director may charge a reasonable fee to~~  
2 ~~cover the cost of the placard and of its issuance. The fee~~  
3 ~~shall be retained by the division and shall be appropriated to~~  
4 ~~the division for expenditures incurred in the implementation of~~  
5 ~~the placard replacement program.]~~ The physician shall provide  
6 the division all information and records necessary to issue a  
7 permanent parking placard. Once approved for use of a  
8 permanent parking placard, a person shall not be required to  
9 furnish further medical information about his mobility  
10 impairment.

11 D. A parking placard issued pursuant to this  
12 section shall expire ~~[in no more than two years]~~ on the same  
13 date the person's license or identification card issued  
14 pursuant to Section 66-5-401 NMSA 1978 expires.

15 E. The division shall issue two-sided hanger-style  
16 parking placards with the following characteristics:

17 (1) the international symbol of access shall  
18 be displayed on both sides of the placard and shall be at least  
19 three inches in height, centered on the placard and white on a  
20 blue ~~[shield]~~ field;

21 (2) an identification number enabling the  
22 division to identify the holder of each placard. The division  
23 shall maintain this information in a readily retrievable  
24 format, provide it to the governor's committee on concerns of  
25 the handicapped and make it available on demand to any law

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1 enforcement agency just as it provides vehicle registration and  
2 driver's license information;

3 (3) the date of expiration; and

4 (4) the division seal or other identification  
5 of the issuing authority.

6 F. Upon written application to the division  
7 accompanied by a medical statement from a licensed physician  
8 attesting to a temporary disability, a person who has a  
9 temporary disability that limits or impairs the ability to walk  
10 may be issued a temporary placard [ ~~which shall be~~  
11 ~~distinguishable in appearance from placards valid for two~~  
12 ~~years. The medical statement shall include the period of time~~  
13 ~~that the physician determines the applicant will have the~~  
14 ~~disability. A temporary placard issued pursuant to this~~  
15 ~~section shall be valid] for no more than [six months] one year.  
16 The physician shall provide the division all information and  
17 records necessary to issue a temporary placard.~~

18 G. For the purpose of obtaining a placard, a person  
19 with a [ "~~disability that limits or impairs the ability to~~  
20 ~~walk~~" ] "severe mobility impairment" means the person:

21 (1) cannot walk one hundred feet without  
22 stopping to rest;

23 (2) cannot walk without the use of a brace, a  
24 cane, a crutch, assistance from another person, a prosthetic  
25 device, a wheelchair or another assistive device;

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1 (3) is restricted by lung disease to such an  
2 extent that the person's forced respiratory volume, when  
3 exhaling for one second, when measured by spirometry, is less  
4 than one liter or the arterial oxygen tension is less than  
5 sixty millimeters on room air at rest;

6 (4) uses portable oxygen;

7 (5) has a severe cardiac condition; or

8 (6) is so severely limited in his ability to  
9 walk due to an arthritic, neurologic or orthopedic condition  
10 that the person cannot ascend or descend more than ten stair  
11 steps.

12 H. Special registration plates or placards issued  
13 to ~~[the disabled]~~ a person with severe mobility impairment by  
14 another state or foreign jurisdiction shall be ~~[ granted~~  
15 ~~reciprocity while]~~ honored until the vehicle ~~[ and disabled~~  
16 ~~operator are]~~ is registered or the placard holder establishes  
17 residency in this state ~~[ for a period not to exceed thirty~~  
18 ~~days]~~.

19 I. All parking placards ~~[ shall be]~~ issued ~~[ in~~  
20 ~~accordance with this section beginning on July 1, 1995. All~~  
21 ~~placards issued prior to July 1, 1995 shall expire on July 1,~~  
22 ~~1996]~~ on or after July 1, 1999 shall be issued in accordance  
23 with the provisions of this section. "

24 Section 12. Section 66-3-16.1 NMSA 1978 (being Laws 1995,  
25 Chapter 129, Section 2) is amended to read:

. 124896. 3

1 "66-3-16.1. [~~PROVIDING FALSE INFORMATION--PENALTY~~]

2 PROHIBITED ACTS--PENALTIES. --

3 A. Any person who provides false information in  
4 order to acquire, or who assists an unqualified person [ in  
5 acquiring] to acquire, a special registration plate or  
6 [special] parking placard as provided in Section 66-3-16 NMSA  
7 1978 is guilty of a misdemeanor and shall be sentenced pursuant  
8 to the provisions of Section 31-19-1 NMSA 1978.

9 B. Any person, other than the person to whom a  
10 special registration plate or a parking placard was issued, who  
11 in the absence of the holder of the plate or placard, parks in  
12 a designated disabled parking space while displaying the plate  
13 or placard, is guilty of a misdemeanor and upon conviction  
14 shall be sentenced pursuant to the provisions of Section  
15 31-19-1 NMSA 1978.

16 C. A special registration plate or parking placard  
17 displayed on a vehicle parked in a designated disabled parking  
18 space in the absence of the holder of that plate or placard, is  
19 subject to immediate seizure by a law enforcement official and  
20 if seized shall be delivered to the division within seventy-two  
21 hours. Failure to surrender the parking placard on demand of a  
22 law enforcement officer is a petty misdemeanor and punishable  
23 by a fine not to exceed one hundred dollars (\$100). "

24 Section 13. Section 66-7-352.4 NMSA 1978 (being Laws  
25 1983, Chapter 45, Section 4) is amended to read:

. 124896. 3

1 "66-7-352.4. PARKING LOTS--STANDARDS. --

2 A. Every parking lot coming under the provisions of  
3 the Disabled Parking Standards and Enforcement Act shall have  
4 designated disabled parking spaces as provided in Subsection B  
5 of this section [~~provided that an office of state or local~~  
6 ~~government shall have a minimum of one such parking space~~]. No  
7 building permit shall be issued by any local government for the  
8 construction or substantial renovation of a commercial building  
9 inviting public access unless the parking lot has designated  
10 disabled parking spaces as delineated in Subsection B of this  
11 section.

12 B. The minimum numbers of designated disabled  
13 parking spaces are as follows:

14 TOTAL SPACES IN PARKING LOT	15 MINIMUM DESIGNATED DISABLED 16 PARKING SPACES
17 [ <del>0 to 14</del> ]	<del>0</del>
18 15] <u>1</u> to 25	1
19 26 to 35	2
20 36 to 50	3
21 51 to 100	4
22 101 to 300	8
23 301 to 500	12
24 501 to 800	16
25 801 to 1,000	20
[ <del>more than 1,000</del> ]	<del>20, plus 3 for each</del>

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100 over 1,000.

The designated disabled parking spaces shall be located so as to provide the most convenient access to entranceways or to the nearest curb cut. Every parking lot shall have at least one designated disabled parking space designed to accommodate a motor vehicle passenger van, and there shall be a minimum of one such space for every eight designated disabled parking spaces. "

Section 14. Section 66-7-352.5 NMSA 1978 (being Laws 1983, Chapter 45, Section 5, as amended) is amended to read:

"66-7-352.5. UNAUTHORIZED USE-- [PENALTY] PENALTIES. --

A. It is unlawful for any person to park a motor vehicle not [carrying] displaying a special registration [plates] plate or a parking placard [indicating disability in accordance with] issued pursuant to Section 66-3-16 NMSA 1978 in a designated disabled parking space. [or blocking a curb cut. Any person who violates this subsection is subject to a fifty-dollar (\$50.00) fine.

~~B. A person charged with a violation of Subsection A of this section shall not be determined to have committed an infraction if he produces in court special disabled registration plates or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 or demonstrates he~~

1 ~~was entitled to such at the time of the violation.]~~

2 B. It is unlawful for any person to park a motor  
3 vehicle in such a manner so as to block access to any part of a  
4 curb cut designed for access by persons with severe mobility  
5 impairment.

6 C. Any person convicted of violating Subsection A  
7 or B of this section is subject to a fine of not less than one  
8 hundred dollars (\$100) or more than three hundred dollars  
9 (\$300). Failure to properly display a parking placard or  
10 special registration plate issued pursuant to Section 66-3-16  
11 NMSA 1978 is not a defense against a charge of violation of  
12 Subsection A or B of this section.

13 D. A vehicle parked in violation of Subsection A or  
14 B of this section is subject to being towed at the expense of  
15 the vehicle owner upon authorization by law enforcement  
16 personnel or by the property owner or manager of a parking  
17 lot."

1 FORTY- FOURTH LEGI SLATURE

2 FIRST SESSION, 1999

3  
4  
5 March 1, 1999

6  
7 Mr. President:

8  
9 Your PUBLIC AFFAIRS COMMITTEE, to whom has been  
10 referred  
11

12  
13 SENATE BILL 531

14  
15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 JUDICIARY COMMITTEE.

18  
19 Respectfully submit ted,

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Shannon Robinson, Chairman

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Ingle, Leavell, Stockard, Smith

Absent: None

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1 FORTY- FOURTH LEGI SLATURE

2 FIRST SESSION, 1999

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5 March 13, 1999

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7 Mr. Presi dent:

8  
9 Your JUDICIARY COMMITTEE, to whom has been referred

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11 SENATE BILL 531

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13 has had it under consideration and reports same with  
14 recommendation that it DO NOT PASS, but that

15  
16  
17 SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR

18 SENATE BILL 531

19  
20 DO PASS .

21 Respectfully submit ted,

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\_\_\_\_\_  
Michael S. Sanchez, Chairman

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: None

Excused: Davis, McSorley, Tsosie

Absent: None

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. 124896. 3

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SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE BILL 531

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

AN ACT

RELATING TO DISABILITIES; AMENDING AND ENACTING SECTIONS OF  
THE NMSA 1978 TO EXPAND PARKING FOR PERSONS WITH SEVERE  
MOBILITY IMPAIRMENT; PROVIDING FOR ENFORCEMENT OF CERTAIN  
PARKING PRIVILEGES; CREATING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. [NEW MATERIAL] SHORT TITLE. -- Sections 1 and 2  
of this act may be cited as the "Parking Placard Abuse Act".

Section 2. [NEW MATERIAL] PROGRAM CREATED. -- The "placard  
abuse prevention program" is created in the governor's  
committee on concerns of the handicapped to ensure compliance  
with statutes affecting parking privileges for persons with  
severe mobility impairment and safe and effective use of  
designated disabled parking space. The committee shall design  
and implement a program to:

. 129034. 1

A. monitor the system of eligibility for and use of parking placards and special registration plates;

B. provide public awareness education and training to address barriers to the appropriate use of designated disabled parking space;

C. pursue efforts to reduce abuse and misuse of designated disabled parking space privileges, including revocation of parking placards and special registration plates; and

D. provide education, training and technical assistance to local law enforcement agencies and volunteers on enforcement of statutes affecting use of designated disabled parking space.

Section 3. Section 3-51-46 NMSA 1978 (being Laws 1973, Chapter 22, Section 3) is amended to read:

"3-51-46. PASSENGER MOTOR VEHICLE OF DISABLED PERSON-- PARKING PRIVILEGE. --Passenger motor vehicles owned by and carrying disabled persons and [~~carrying~~] displaying special registration plates, or passenger motor vehicles carrying persons with severe mobility impairment and displaying parking placards, issued pursuant to Section [~~64-3-12.3 NMSA 1953~~] 66-3-16 NMSA 1978 shall be permitted to park for unlimited periods of time in parking zones restricted as to length of time parking is normally permitted and are exempt from payment of any parking [~~meter~~] fee of the state or its political subdivisions. The provisions of this section shall prevail over any other law, [~~regulation~~] rule or local ordinance but do not apply to zones where stopping, standing or parking is

. 129034. 1

1 prohibited, zones reserved for special types of vehicles,  
2 zones where parking is prohibited during certain hours of the  
3 day in order to facilitate traffic during those hours when  
4 parking is prohibited and zones subject to similar regulation  
5 because parking presents a traffic hazard."

6 Section 4. Section 66-1-4.1 NMSA 1978 (being Laws 1990,  
7 Chapter 120, Section 2) is amended to read:

8 "66-1-4.1. DEFINITIONS. --As used in the Motor Vehicle  
9 Code:

10 A. "abandoned vehicle" means a vehicle or motor  
11 vehicle that has been determined by a New Mexico law  
12 enforcement agency:

13 (1) to have been left unattended on either  
14 public or private property for at least thirty days;

15 (2) not to have been reported stolen;

16 (3) not to have been claimed by any person  
17 asserting ownership; and

18 (4) not to have been shown by normal record  
19 checking procedures to be owned by any person;

20 B. "access aisle" means a space designed to allow a  
21 person with severe mobility impairment to safely exit and  
22 enter a motor vehicle and that is immediately adjacent to a  
23 designated disabled parking space and that may be common to  
24 two such parking spaces of at least sixty inches in width or,  
25 if the parking space is designed for van accessibility,

1 ninety-six inches in width, and clearly marked with blue  
 2 striping;

3 ~~[B.]~~ C. "additional place of business", for dealers  
 4 and wreckers of vehicles, means locations in addition to an  
 5 established place of business as defined in Section 66-1-4.5  
 6 NMSA 1978 and meeting all the requirements of an established  
 7 place of business, except Paragraph (5) of Subsection B of  
 8 Section 66-1-4.5 NMSA 1978, but "additional place of business"  
 9 does not mean a location used solely for storage and that is  
 10 not used for wrecking, dismantling, sale or resale of vehicles;

11 ~~[C.]~~ D. "alcoholic beverages" means any and all  
 12 distilled or rectified spirits, potable alcohol, brandy,  
 13 whiskey, rum, gin, aromatic bitters or any similar alcoholic  
 14 beverage, including all blended or fermented beverages,  
 15 dilutions or mixtures of one or more of the foregoing  
 16 containing more than one-half of one percent alcohol but  
 17 excluding medicinal bitters; and

18 ~~[D.]~~ E. "authorized emergency vehicle" means any fire  
 19 department vehicle, police vehicle, ambulance and any emergency  
 20 vehicles of municipal departments or public utilities that are  
 21 designated or authorized as emergency vehicles by the director  
 22 of the New Mexico state police division of the department of  
 23 public safety or local authorities. "

24 Section 5. Section 66-1-4.4 NMSA 1978 (being Laws 1990,  
 25 Chapter 120, Section 5, as amended) is amended to read:

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1           "66-1-4.4. DEFINITIONS. --As used in the Motor Vehicle  
2 Code:

3           A. "day" means calendar day, unless otherwise  
4 provided in the Motor Vehicle Code;

5           B. "dealer", except as herein specifically excluded,  
6 means any person who sells or solicits or advertises the sale  
7 of new or used motor vehicles, manufactured homes or trailers  
8 subject to registration in this state; "dealer" does not  
9 include:

10                   (1) receivers, trustees, administrators,  
11 executors, guardians or other persons appointed by or acting  
12 under judgment, decree or order of any court;

13                   (2) public officers while performing their duties  
14 as such officers;

15                   (3) persons making casual sales of their own  
16 vehicles;

17                   (4) finance companies, banks and other lending  
18 institutions making sales of repossessed vehicles; or

19                   (5) licensed brokers under the Manufactured  
20 Housing Act who, for a fee, commission or other valuable  
21 consideration, engage in brokerage activities related to the  
22 sale, exchange or lease purchase of pre-owned manufactured  
23 homes on a site installed for a consumer;

24           C. "declared gross weight" means the maximum gross  
25 vehicle weight or combination gross vehicle weight at which a

1 vehicle or combination will be operated during the registration  
 2 period, as declared by the registrant for registration and fee  
 3 purposes; the vehicle or combination shall have only one  
 4 declared gross weight for all operating considerations;

5 D. "department" means the taxation and revenue  
 6 department, the secretary of taxation and revenue or any  
 7 employee of the department exercising authority lawfully  
 8 delegated to that employee by the secretary;

9 E. "designated disabled parking space" means any  
 10 space, including an access aisle, marked and reserved for the  
 11 parking of a passenger vehicle that carries registration plates  
 12 or a parking placard indicating disability in accordance with  
 13 Section 66-3-16 NMSA 1978, [~~such a place shall be~~] and  
 14 designated by a conspicuously posted sign bearing the  
 15 international disabled symbol of a wheelchair [~~or~~] and if  
 16 paved, by a clearly visible depiction of this symbol painted in  
 17 blue on the pavement of the space;

18 F. "director" means the secretary;

19 G. "disqualification" means a prohibition against  
 20 driving a commercial motor vehicle;

21 H. "distinguishing number" means the number assigned  
 22 by the department to a vehicle whose identifying number has  
 23 been destroyed or obliterated or the number assigned by the  
 24 department to a vehicle that has never had an identifying  
 25 number;

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1 I. "distributor" means any person who distributes or  
2 sells new or used motor vehicles to dealers and who is not a  
3 manufacturer;

4 J. "division", without further specification,  
5 "division of motor vehicles" or "motor vehicle division" means  
6 the department;

7 K. "driver" means every person who drives or is in  
8 actual physical control of a motor vehicle, including a  
9 motorcycle, upon a highway, who is exercising control over or  
10 steering a vehicle being towed by a motor vehicle or who  
11 operates or is in actual physical control of an off-highway  
12 motor vehicle;

13 L. "driver's license" means a license or a class of  
14 license issued by a state or other jurisdiction to an  
15 individual that authorizes the individual to drive a motor  
16 vehicle; and

17 M "driveaway-towaway operation" means any operation  
18 in which any motor vehicle, new or used, is the item being  
19 transported when one set or more of wheels of any such motor  
20 vehicle is on the roadway during the course of transportation,  
21 whether or not the motor vehicle furnishes the motive power."

22 Section 6. Section 66-1-4.14 NMSA 1978 (being Laws 1990,  
23 Chapter 120, Section 15, as amended) is amended to read:

24 "66-1-4.14. DEFINITIONS. -- As used in the Motor Vehicle  
25 Code:

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1           A. "park" or "parking" means the standing of a  
2 vehicle, whether occupied or not, other than temporarily for  
3 the purpose of and while actually engaged in loading and  
4 unloading;

5           B. "parking lot" means a parking area [~~containing~~  
6 ~~fifteen or more parking spaces~~] provided for the [free] use of  
7 patrons of any office of state or local government or of any  
8 public accommodation, retail or commercial establishment;

9           C. "parts car" means a motor vehicle generally in  
10 nonoperable condition that is owned by a collector to furnish  
11 parts that are usually nonobtainable from normal sources, thus  
12 enabling a collector to preserve, restore and maintain a motor  
13 vehicle of historic or special interest;

14           D. "pedestrian" means any natural person on foot;

15           E. "person" means every natural person, firm,  
16 copartnership, association, corporation or other legal entity;

17           F. "personal information" means information that  
18 identifies an individual, including an individual's photograph,  
19 social security number, driver identification number, name,  
20 address other than zip code, telephone number and medical or  
21 disability information, but "personal information" does not  
22 include information on vehicles, vehicle ownership, vehicular  
23 accidents, driving violations or driver status;

24           G. "placard" or "parking placard" means a card-like  
25 device that identifies the vehicle as being currently in use to

1 transport a person with severe mobility impairment and issued  
2 pursuant to Section 66-3-16 NMSA 1978 to be displayed inside a  
3 motor vehicle so as to be readily visible to an observer  
4 outside the vehicle;

5 [G.] H. "pneumatic tire" means every tire in which  
6 compressed air is designed to support the load;

7 [H.] I. "pole trailer" means any vehicle without  
8 motive power, designed to be drawn by another vehicle and  
9 attached to the towing vehicle by means of a reach or pole or  
10 by being boomed or otherwise secured to the towing vehicle and  
11 ordinarily used for transporting long or irregularly shaped  
12 loads such as poles, structures, pipes and structural members  
13 capable, generally, of sustaining themselves as beams between  
14 the supporting connections;

15 [I.] J. "police or peace officer" means every officer  
16 authorized to direct or regulate traffic or to make arrests for  
17 violations of the Motor Vehicle Code;

18 [J.] K. "private road or driveway" means every way or  
19 place in private ownership used for vehicular travel by the  
20 owner and those having express or implied permission from the  
21 owner, but not other persons; and

22 [K.] L. "property owner" means the owner of a piece  
23 of land or the agent of that property owner. "

24 Section 7. Section 66-3-16 NMSA 1978 (being Laws 1978,  
25 Chapter 35, Section 36, as amended) is amended to read:

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1 "66-3-16. SPECIAL REGISTRATION PLATES--DISABLED  
2 PERSONS-- [~~DISPLAY DEVICE~~] PARKING PLACARD. --

3 A. The division shall issue distinctive registration  
4 plates to any disabled person who so requests and who proves  
5 satisfactorily to the division that he has suffered the loss,  
6 or the complete and total loss of use of, one or both legs at  
7 or above the ankle or of one or both arms at or above the wrist  
8 for use on motor vehicles owned by the person. No fee in  
9 addition to the regular registration fee, if any, applicable to  
10 the motor vehicle shall be collected for issuance of special  
11 registration plates pursuant to this section.

12 B. No person shall falsely represent himself to be  
13 disabled so as to be eligible to be issued a special  
14 registration [~~plates~~] plate or [~~display devices~~] a parking  
15 placard pursuant to this section when he is in fact not  
16 disabled. Upon notice and opportunity to be heard, the  
17 division may revoke and demand return of any placard when:

- 18 (1) it was issued in error or with false  
19 information;
- 20 (2) the person receiving the placard is no longer  
21 eligible; or
- 22 (3) the placard is being used by ineligible  
23 persons.

24 C. Upon written application to the division  
25 accompanied by a medical statement by a licensed physician

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1 attesting to the permanent disability, a resident of the state  
2 who has a disability that limits or impairs the ability to  
3 walk, as provided in Subsection G of this section, may apply  
4 for and be granted the issuance of [~~a placard~~] no more than two  
5 parking placards for display upon a motor vehicle registered to  
6 him or motor vehicle owned by another person who is  
7 transporting him. [~~The director may charge a reasonable fee to~~  
8 ~~cover the cost of the placard and of its issuance. The fee~~  
9 ~~shall be retained by the division and shall be appropriated to~~  
10 ~~the division for expenditures incurred in the implementation of~~  
11 ~~the placard replacement program.] The physician shall provide  
12 the division all information and records necessary to issue a  
13 permanent parking placard. Once approved for use of a  
14 permanent parking placard, a person shall not be required to  
15 furnish further medical information about his mobility  
16 impairment.~~

17 D. A parking placard issued pursuant to this section  
18 shall expire [~~in no more than two years~~] on the same date the  
19 person's license or identification card issued pursuant to  
20 Section 66-5-401 NMSA 1978 expires.

21 E. The division shall issue two-sided hanger-style  
22 parking placards with the following characteristics:

23 (1) the international symbol of access shall be  
24 displayed on both sides of the placard and shall be at least  
25 three inches in height, centered on the placard and white on a

1 blue [~~shield~~] field;

2 (2) an identification number enabling the  
3 division to identify the holder of each placard. The division  
4 shall maintain this information in a readily retrievable  
5 format, provide it to the governor's committee on concerns of  
6 the handicapped and make it available on demand to any law  
7 enforcement agency just as it provides vehicle registration and  
8 driver's license information;

9 (3) the date of expiration; and

10 (4) the division seal or other identification of  
11 the issuing authority.

12 F. Upon written application to the division  
13 accompanied by a medical statement from a licensed physician  
14 attesting to a temporary disability, a person who has a  
15 temporary disability that limits or impairs the ability to walk  
16 may be issued a temporary placard [~~which shall be~~  
17 ~~distinguishable in appearance from placards valid for two~~  
18 ~~years. The medical statement shall include the period of time~~  
19 ~~that the physician determines the applicant will have the~~  
20 ~~disability. A temporary placard issued pursuant to this~~  
21 ~~section shall be valid] for no more than [six months] one year.  
22 The physician shall provide the division all information and  
23 records necessary to issue a temporary placard.~~

24 G. For the purpose of obtaining a placard, a person  
25 with a [~~"disability that limits or impairs the ability to~~

1 walk"] "severe mobility impairment" means the person:

2 (1) cannot walk one hundred feet without stopping  
3 to rest;

4 (2) cannot walk without the use of a brace, a  
5 cane, a crutch, assistance from another person, a prosthetic  
6 device, a wheelchair or another assistive device;

7 (3) is restricted by lung disease to such an  
8 extent that the person's forced respiratory volume, when  
9 exhaling for one second, when measured by spirometry, is less  
10 than one liter or the arterial oxygen tension is less than  
11 sixty millimeters on room air at rest;

12 (4) uses portable oxygen;

13 (5) has a severe cardiac condition; or

14 (6) is so severely limited in his ability to walk  
15 due to an arthritic, neurologic or orthopedic condition that  
16 the person cannot ascend or descend more than ten stair steps.

17 H. Special registration plates or placards issued to  
18 [~~the disabled~~] a person with severe mobility impairment by  
19 another state or foreign jurisdiction shall be [~~granted~~  
20 ~~reciprocity while~~] honored until the vehicle [~~and disabled~~  
21 ~~operator are~~] is registered or the placard holder establishes  
22 residency in this state [~~for a period not to exceed thirty~~  
23 ~~days~~].

24 I. All parking placards [~~shall be~~] issued [~~in~~  
25 ~~accordance with this section beginning on July 1, 1995.~~ All

1 ~~placards issued prior to July 1, 1995 shall expire on July 1,~~  
2 ~~1996] on or after July 1, 1999 shall be issued in accordance~~  
3 ~~with the provisions of this section.~~"

4 Section 8. Section 66-3-16.1 NMSA 1978 (being Laws 1995,  
5 Chapter 129, Section 2) is amended to read:

6 "66-3-16.1. [~~PROVIDING FALSE INFORMATION--PENALTY~~]  
7 PROHIBITED ACTS--PENALTIES. --

8 A. Any person who provides false information in order  
9 to acquire, or who assists an unqualified person [~~in-acquiring~~]  
10 to acquire, a special registration plate or [~~special~~] parking  
11 placard as provided in Section 66-3-16 NMSA 1978 is guilty of a  
12 misdemeanor and shall be sentenced pursuant to the provisions  
13 of Section 31-19-1 NMSA 1978.

14 B. Any person, other than the person to whom a  
15 special registration plate or a parking placard was issued, who  
16 in the absence of the holder of the plate or placard, parks in  
17 a designated disabled parking space while displaying the plate  
18 or placard, is guilty of a misdemeanor and upon conviction  
19 shall be sentenced pursuant to the provisions of Section  
20 31-19-1 NMSA 1978.

21 C. A special registration plate or parking placard  
22 displayed on a vehicle parked in a designated disabled parking  
23 space in the absence of the holder of that plate or placard, is  
24 subject to immediate seizure by a law enforcement official and  
25 if seized shall be delivered to the division within seventy-two

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1 hours. Failure to surrender the parking placard on demand of a  
2 law enforcement officer is a petty misdemeanor and punishable  
3 by a fine not to exceed one hundred dollars (\$100). "

4 Section 9. Section 66-7-352.4 NMSA 1978 (being Laws 1983,  
5 Chapter 45, Section 4) is amended to read:

6 "66-7-352.4. PARKING LOTS--STANDARDS. --

7 A. Every parking lot coming under the provisions of  
8 the Disabled Parking Standards and Enforcement Act shall have  
9 designated disabled parking spaces as provided in Subsection B  
10 of this section [~~provided that an office of state or local~~  
11 ~~government shall have a minimum of one such parking space~~]. No  
12 building permit shall be issued by any local government for the  
13 construction or substantial renovation of a commercial building  
14 inviting public access unless the parking lot has designated  
15 disabled parking spaces as delineated in Subsection B of this  
16 section.

17 B. The minimum numbers of designated disabled parking  
18 spaces are as follows:

TOTAL SPACES IN PARKING LOT	MINIMUM DESIGNATED DISABLED PARKING SPACES
<del>0 to 14</del>	<del>0</del>
15] <u>1</u> to 25	1
26 to 35	2
36 to 50	3
51 to 100	4

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1	101 to 300	8
2	301 to 500	12
3	501 to 800	16
4	801 to 1,000	20
5	<del>[more than 1,000</del>	<del>20, plus 3 for each</del>
6		<del>additional 1,000]</del>
7	<u>more than 1,000</u>	<u>20, plus 1 for each</u>
8		<u>100 over 1,000.</u>

9 The designated disabled parking spaces shall be located so as  
 10 to provide the most convenient access to entranceways or to the  
 11 nearest curb cut. Every parking lot shall have at least one  
 12 designated disabled parking space designed to accommodate a  
 13 motor vehicle passenger van, and there shall be a minimum of  
 14 one such space for every eight designated disabled parking  
 15 spaces. "

16 Section 10. Section 66-7-352.5 NMSA 1978 (being Laws  
 17 1983, Chapter 45, Section 5, as amended) is amended to read:

18 "66-7-352.5. UNAUTHORIZED USE-- ~~[ PENALTY]~~ PENALTIES. --

19 A. It is unlawful for any person to park a motor  
 20 vehicle not ~~[carrying]~~ displaying a special registration  
 21 ~~[plates]~~ plate or a parking placard ~~[indicating disability in~~  
 22 ~~accordance with]~~ issued pursuant to Section 66-3-16 NMSA 1978  
 23 in a designated disabled parking space. ~~[ or blocking a curb~~  
 24 ~~cut. Any person who violates this subsection is subject to a~~  
 25 ~~fifty-dollar (\$50.00) fine.~~

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FORTY- FOURTH LEGI SLATURE  
FIRST SESSION, 1999

March 13, 1999

Mr. Presi dent:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 531

has had it under consideration and reports same with  
recommen dation that it DO NOT PASS, but that

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR  
SENATE BILL 531

DO PASS .

Respectfully submi tted,

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**SJC/SB 531**

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\_\_\_\_\_  
Michael S. Sanchez, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: None

Excused: Davis, McSorley, Tsosie

Absent: None

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1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
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6 March 16, 1999  
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8 Mr. Speaker:  
9

10 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to whom  
11 has been referred  
12

13 SENATE JUDICIARY COMMITTEE SUBSTITUTE  
14 FOR SENATE BILL 531  
15

16 has had it under consideration and reports same with  
17 recommendation that it DO PASS.

18 Respectfully submitted,  
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22 \_\_\_\_\_  
23 Patsy Trujillo Knauer, Chairwoman  
24  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

SJC/SB 531

HCPAC/SB 531

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

Excused: None

Absent: None

J: \99BillsWP\S0531

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1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3

4 March 16, 1999  
5

6  
7 Mr. Speaker:  
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9 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to whom  
10 has been referred

11 SENATE JUDICIARY COMMITTEE SUBSTITUTE  
12 FOR SENATE BILL 531  
13

14 has had it under consideration and reports same with  
15 recommendation that it DO PASS.  
16

17 Respectfully submitted,  
18

19  
20  
21 \_\_\_\_\_  
22 Patsy Trujillo Knauer, Chairwoman  
23  
24  
25

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

SJC/SB 531

HCPAC/SB 531

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

Excused: None

Absent: None

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